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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**  
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 DEXTER ALLAN MARSHALL ,

15 Defendant.  
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Case No. CR-S-2:04-CR-00191-KJD-LRL-1

**ORDER**

17 Before the Court is Defendant Dexter Allan Marshall's Motion for Telephonic Hearing  
18 Regarding Release of Federal Hold on NDOC Prisoner (#51). The Government has filed a response  
19 (#52).  
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21 On December 21, 2010, Defendant was sentenced to a twenty-four month term of  
22 imprisonment on a supervised release revocation (Case No: 2:04-cr-00373-KJD). This Court  
23 ordered that the sentence run concurrently with the sentence imposed in State of Nevada case number  
24 C258619.

25 Defendant seeks a release of the federal detainer so that he can qualify for certain programs  
26 available through the Nevada Department of Corrections. Defendant's projected parole date from

1 state custody is August 11, 2014. However, that date is fluid due to a pending habeas corpus petition  
2 and other possible factors. Defendant's projected release date on the federal sentence is not until  
3 September 17, 2012. Although it is unlikely that Defendant will be released from state custody prior  
4 to that time, in order to ensure that Defendant serves his federal time, the Motion to Release Federal  
5 Hold (#51) is **DENIED**.

6 DATED this 20th day of August 2012.

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10 Kent J. Dawson  
United States District Judge  
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